

PUBLIC HEARING - TOWN OF SULLIVAN PLANNING BOARD – JUNE 4, 2019 – MARK PFOHL – STORAGE UNITS – ONEIDA LAKE STORAGE – 2386 STATE ROUTE 31, CANASTOTA, NY - SLB 11-1-9.13

The hearing was opened by Frank Park. The secretary read the notice as published in the Oneida Dispatch.

Present: Frank Park, Dave Allen, Sherry Menninger, John Ceresoli, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Mr. Pfohl would like to have a 100' extension to his existing storage facility – this extension will go 100' into the Agricultural zone. His map is dated 5/9/19. The Planning Board has the ability to allow a 100' extension into an Ag Zone

No one spoke for or against this special use permit application for additional storage units

A motion was made by Sherry Menninger and seconded by Dave Allen to close the hearing. All in favor.

PUBLIC HEARING - DOUG COMPOLI -ROBINSON ROAD/QUARRY ROAD- 2 LOT NON-REALTY SUBDIVISION- SLB 50-3-66.1

The hearing was opened by Frank Park. The secretary read the notice as published in the Oneida Dispatch.

Present: Frank Park, Dave Allen, Sherry Menninger, John Ceresoli, Paul Jasek, John Langey, atty, and Phil Costanzo, codes officer

Mr. Compoli would like to subdivide his property on Robinson/Quarry Road into two lots. Lot #20 is 116 acres and the remaining lot is 70 acres.

No one spoke for or against this two lot non – realty subdivision on Robinson/Quarry Road

A motion was made by Paul Jasek and seconded by John Ceresoli to declare the Town of Sullivan Planning Board as lead agency. The short form Environmental Assessment Form was reviewed and a negative declaration was made. All in favor.

REGULAR MEETING – TOWN OF SULLIVAN PLANNING BOARD – JUNE 4, 2019

The regular meeting of the Town of Sullivan Planning Board began at 7PM.

Present: Frank Park, Dave Allen, Sherry Menninger, John Ceresoli, Paul Jasek, Phil Costanzo and John Langey, atty

A motion was made by Sherry Menninger and seconded by Dave Allen to accept the May 7, 2019 minutes. All in favor.

MARK PFOHL – STORAGE UNITS – ONEIDA LAKE STORAGE – ROUTE 31 - SLB

Mr. Pfohl is requesting adding 100' to his eastern storage facility which is in a business zone but the Town Board has indicated that he may go into the Ag zone by 100'

**TOWN OF SULLIVAN  
PLANNING BOARD RESOLUTION**

**MARK PFOHL (Owner/Applicant) - Application for a Special Use Permit for the Expansion/Amendment of the Operation of a Storage Facility at the Owner/Applicant's Premises Located at 2386 State Route 31, Canastota, in the Town of Sullivan in a Business/Agricultural District - GRANTED WITH CONDITIONS.**

**June 4, 2019**

D. Allen moved and J. Ceresoli seconded the following Resolution:

**WHEREAS, Mark Pfohl**, as Owner/Applicant (the “Applicant”) of property located at 2386 State Route 31, Canastota, in the Town of Sullivan (the “Property”), made an application to the Town of Sullivan Planning Board (the “Board”) on or about May 7, 2019 for an amendment to a Special Use Permit to construct a 60’ x 100’ addition to an existing storage facility at the Applicant’s premises located at 2386 State Route 31, Canastota, in the Town of Sullivan, Madison County, more particularly known as Tax Map No. 11.-1-9.1, which storage use would be expanded and extended into the agriculturally zoned portion of the premises pursuant to the Town of Sullivan Zoning Law §275-5(E), as amended (the “Law”); and

**WHEREAS**, the Town of Sullivan Planning Board held a public hearing on the application at the Board’s regular meeting held on June 4, 2019 and after due notice by publication in the official newspaper of the Town and due notice to the Applicant, neighboring landowners and Board Members, in accordance with the law and the Zoning Law; and

**WHEREAS**, Volume 6 N.Y.C.R.R. Part 617 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (“SEQRA”), requires that as early as possible and within (20) days of a complete application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, the Applicant has completed and submitted a Short Form Environmental Assessment Form and the same has been reviewed and considered by the Board along with the other submissions provided by the Applicant; and

**WHEREAS**, the application was referred to the Madison County Planning Department (“MCPD”) for review and comment pursuant to General Municipal Law 239-m and said Board having issued its report dated May 9, 2011 indicating that the matter was being returned for local determination as it will not have any county-wide impacts; and

**WHEREAS**, the Applicant's application was considered fully by the Planning Board and upon such consideration the Board hereby finds pursuant to Article V of Chapter 275 of the Town of Sullivan Zoning Law, among other things, with regard to the proposed project the following:

1. The location, size of use and structure, nature and intensity of the operations involved, *i.e.* the expansion of an existing storage facility, is in harmony with the orderly development of the District. The proposed use would be part of an existing structure with an existing use as a storage facility, which is suitable for the proposed expansion. In addition, the use of the facilities would be consistent with the Zoning in the area. Further, the premises have been used for a storage businesses in the past with no reported issues.
2. There will be no discouragement of appropriate development and use of adjacent lands or buildings, nor will such lands or buildings have impairment to their value by operation of the expanded use at the site. Surrounding uses in the area are both residential and commercial in nature and the premises have been used consistent with such uses in the past. There has been no evidence that there will be any negative impacts created by the proposed expanded structure's location or its height.
3. The operation of the expanded storage facility will not be more objectionable to nearby properties, than the operations of any other permitted standard uses. The zoning district supports mixed uses and the project has been previously used for business purposes.
4. The project provides for sufficient private parking on-site and access for emergency services. The Applicant has demonstrated that sufficient parking exists for its proposed use; and

**WHEREAS**, the Board has fully considered all of the application materials, drawings and submissions associated with the proposed use.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Sullivan Planning Board hereby allows and grants the Applicant's request for a Special Use Permit to utilize the premises as an expanded storage facility, including an *up to* 60' x 120' addition onto the existing structure encroaching into portions of the agriculturally zoned area of the Property, all in specific accordance with the submitted application, plans and specifications, conditioned however upon the following:

1. The Applicant shall submit revised plans to the Codes Enforcement Office depicting the proposed building at its maximum size (60' x 120');
2. Upon completion of construction, the applicant shall submit professional as-built drawings confirming the final size of the building, as constructed, not exceed the 60' x 120' approved size and not encroaching into the agriculturally zoned lands any further than as depicted on the submitted and approved drawings;
3. All construction shall be in compliance with the submitted plans, as amended, and the application materials; and

**BE IT FURTHER RESOLVED** that the Town of Sullivan Planning Board hereby exercises its authority as part of this approval to extend the portion of the premises for a business use to an additional 100' measured from the existing southern boundary of the Business District; and

**BE IT FURTHER RESOLVED** that the Applicant shall comply in all respects with the Zoning Law; and

**BE IT FURTHER RESOLVED** that the Town's Zoning Officer is hereby authorized and directed upon payment of any required fees to issue such permits (including professional engineering and legal fees) and certificates or to take such other actions as may be required to effectuate and enforce this Resolution; and

**BE IT FURTHER RESOLVED** that this Resolution shall be effective as of the date of its filing with the Town Clerk and shall be subject to annual inspection for compliance.

The question of the adoption of the foregoing Resolution was duly put to a roll call vote, which resulted as follows:

<b>Paul Jasek</b>	<b>Voted</b>	<b>YES</b>
<b>John Ceresoli</b>	<b>Voted</b>	<b>YES</b>
<b>Sherry Menninger</b>	<b>Voted</b>	<b>YES</b>
<b>Dave Allen</b>	<b>Voted</b>	<b>YES</b>
<b>Frank Park, Chairman</b>	<b>Voted</b>	<b>YES</b>

The Chairman, Mr. Park, then declared the Resolution to be duly adopted.

**FRANK PARK**, Chairman of the Planning Board of the Town of Sullivan, hereby certifies that the foregoing Resolution was duly adopted at a meeting of the Board duly convened and held on June 4, 2019, a quorum being present.

**FRANK PARK, CHAIRMAN**  
**Town of Sullivan Planning Board**

**PAMELA BRIONES**, Deputy Town Clerk of the Town of Sullivan hereby certifies that the foregoing Resolution was duly filed in the Town Clerk's Office on June \_\_\_, 2019.

**PAMELA BRIONES, Deputy Town Clerk**

**DOUG COMPOLI -ROBINSON ROAD/QUARRY ROAD- 2 LOT NON-REALTY SUBDIVISION**

The Board found no problems with this two lot non-realty subdivision. The latest map is dated 5/6/19.

A motion was made by Paul Jasek and seconded by Sherry Menninger to allow this two- lot subdivision on Robinson/Quarry Road. All in favor.

**ALLEN KIME – 2750 ROBINSON ROAD - SLB 50-3-66.1**

The Kimes presented maps to the Board. Mr. Kime and his son would like to erect a 40' x 48' pole building to house animals and for the storage of hay. They now have a beef operation. Allen Kime will purchase the land and his son will run the business.

A motion was made by Sherry Menninger and seconded by Paul Jasek to schedule a public hearing at 6:45PM on July 2, 2019 to allow a 40' x 48' pole building. All in favor.

**BRIA MARAIA – DOGGIE DAY CARE - 1305 ROUTE 31**

Ms. Maraia returned to the Board to discuss her application for a Doggie Day Care. She would like to do dog day care and training. She has submitted a drawn plan without dimensions. There is no scale to the drawn plan. The Board would like to see more complete plans. She needs to delineate parking, show buffers, signage and show open areas. It was discussed that she will need a 6' privacy fence. She will need five to six parking spaces. The Board is suggesting that she have a professional survey done on this property. She plans to have 25 dogs a day at most. She needs to show lighting, waste management, hours will be 7AM to 7 PM Monday through Friday and perhaps ½ on Saturday.

This application needs to go to Madison County Planning.

If the Board receives a suitable site plan that can be sent to the County, a public hearing will be held on July 2, 2019.

**DAVID RANK – QUESTIONS ON LETTER HE WROTE TO THE PLANNING AND ZONING BOARD**

John Langey and Frank Park spoke to Mr. Rank stating the purpose of the Planning Board. Most of the questions that Mr. Rank is asking should go to the ZBA.

**BRENDA HEITCAMP – 2 LOT SUBDIVISION – SMITH RIDGE ROAD –**

Ms. Heitcamp will be seen before the ZBA on June 13. If the smaller lot is allowed, she will be scheduled for a public hearing for July 2<sup>nd</sup>.

A motion was made by Sherry Menninger and Paul Jasek to adjourn the meeting at 8PM. All in favor.

Respectfully submitted,

